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CITY AND COUNTY CONSOLIDATION, AND ANNEXATION WITH CONSENT OF ANNEXED TERRITORY

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CITY AND COUNTY CONSOLIDATION, AND ANNEXATION WITH CONSENT OF ANNEXED TERRITORY.

(Proposed by San Francisco and Los Angeles.)

Initiative amendment to section 8½ of article XI of constitution. Present section unchanged except to authorize chartered cities to establish municipal courts and control appointments, qualifications and tenure of municipal officers and employees; authorizes cities exceeding 175,000 population to consolidate under charter and to annex any contiguous territory, but only upon consent of such territory and of county from which such territory is taken: prescribes procedure for consolidation and annexation.

The electors of the State of California present to the secretary of state this initiative petition asking that the Constitution of the State of California be amended as hereinafter set forth, and the following amendment to said constitution be submitted to the electors of the State of California, for their approval or rejection, at the general election to be held in the month of November, 1914.

That section eight and one-half of article eleven of the Constitution of the State of California, relating to the powers conferred on cities, and cities and counties, by the adoption of charters, or amendments thereof, be amended so as to provide for the extension of such powers, the consolidation of city and county governments, the annexation of territory thereto, and the assumption of bonded indebtedness by territory annexed to or consolidated with an incorporated city or city and county, and to read as follows:

PROPOSED LAW.

Section 8½. It shall be competent, in all charters framed under the authority given by section eight of this article to provide, in addition to those provisions allowable by this constitution and by the laws of the state, as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts with such civil and criminal jurisdiction as by law may be conferred upon inferior courts; and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; provided such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law.

In any city or any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and all records of such inferior courts shall thereupon be and become the records of such municipal court.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which, and the terms for which the members of the boards of police commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

4. For the manner in which and the times at which any municipal election shall be held and the result thereof determined: for the manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the constitution, regulation, compensation and government of such boards, and of their clerks and attaches, and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section, or section eight of this article, for any city or consolidated city and county, and plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several county and municipal officers and employees whose compensation is paid by such city or city and county, excepting judges of the superior court, shall be elected or appointed, and for their recall and removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. All provisions of any charter of any such city or consolidated city and county, heretofore adopted, and amendments thereto, which are in accordance herewith, are hereby confirmed and declared valid.

5. It shall be competent in any charter or amendment thereof, which shall hereafter be framed under the authority given by section eight of this article, by any city having a population in excess of 175,000 ascertained as prescribed by said section eight, to provide for the separation of said city from the county of which it has theretofore been a part and the formation of said city into a consolidated city and county to be governed by such charter, and to have the combined powers of a city and county, as provided in this constitution for consolidated city and county government, and further to prescribe in said charter the date for the beginning of the official existence of said consolidated city and county.

It shall also be competent for any such city, not having already consolidated as a city and county to hereafter frame, in the manner prescribed in section eight of this article, a charter providing for a city and county government, in which charter there shall be prescribed territorial boundaries which may include contiguous territory not included in such city, which territory, however, must be included in the county within which such city is located.

If no additional territory is proposed to be added, then, upon the consent to the separation of any such city from the county in which it is located, being given by a majority of the qualified electors voting thereon in such county and upon the ratification of such charter by a majority of the qualified electors voting thereon in

such city, and the approval thereof by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted and upon the date fixed therein said city shall be and become a consolidated city and county.

If additional territory which consists wholly of only one incorporated city or town, or which consists wholly of unincorporated territory, is proposed to be added, then, upon the consent to such separation of such territory and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city so proposing the separation, and also upon the approval of the proposal hereinafter set forth, by a majority of the qualified electors voting thereon in the whole of such additional territory, and the approval of said charter by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted, the indebtedness hereinafter referred to shall be deemed to have been assumed, and upon the date fixed in said charter such territory and such city shall be and become one consolidated city and county.

The proposal to be submitted to the territory proposed to be added shall be substantially in the following form and submitted as one indivisible question:

"Shall the territory (herein designate in general terms the territory to be added) consolidate with the city of (herein insert name of the city initiating the proposition to form a city and county government) in a consolidated city and county government, and shall the charter as prepared by the city of (herein insert the name of the city initiating such proposition) be adopted as the charter of the consolidated city and county, and shall the said added territory become subject to taxation along with the entire territory of the proposed city and county, in accordance with the assessable valuation of the property of the said territory, for the following indebtedness of said city (herein insert name of the city initiating such proposition) to-wit: (herein insert in general terms reference to any debts to be assumed, and if none insert 'none')."

If additional territory is proposed to be added, which includes unincorporated territory and one or more incorporated cities or towns, or which includes more than one incorporated city or town, the consent of any such incorporated city or town shall be obtained by a majority vote of the qualified electors thereof voting upon a proposal substantially as follows:

"Shall (herein insert the name of the city or town to be included in such additional territory) be included in a district to be hereafter defined by the city of (herein insert the name of the city initiating the proposition to form a city and county government) which district shall, within two years from the date of this election, vote upon a proposal submitted as one indivisible question that such district to be then described and set forth shall consolidate with (herein insert name of the city initiating said consolidation proposition) in a consolidated city and county government, and also that a certain charter, to be prepared by the city of (herein insert name of the city initiating such proposition) be adopted as the charter of such consolidated city and county, and that such district become subject to taxation along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city of (herein insert name of the city initiating such proposition) to-wit: (herein insert in general terms reference to any debts to be assumed and if none insert 'none')."

Any and all incorporated cities or towns to which the foregoing proposal shall have been submitted and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city initiating such consolidation proposal may desire to have included, the whole to form an area contiguous to said city, shall be created into a district by such city, and the proposal substantially as above prescribed to be used when the territory proposed to be added consists wholly of only one incorporated city or town, or wholly of unincorporated territory, shall, within two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to the separation of such district and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and

upon the ratification of such charter by a majority of the qualified electors voting thereon in such city, and upon the approval of the proposal hereinafter set forth by a majority of the qualified electors voting thereon in the whole of said district so proposed to be added, and upon the approval of said charter by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date fixed in said charter, such district and such city shall be and become one consolidated city and county.

6. It shall be competent for any consolidated city and county now existing, or which shall hereafter be organized, to annex territory contiguous to such consolidated city and county, unincorporated or otherwise, whether situate wholly in one county, or parts thereof be situate in different counties, said annexed territory to be an integral part of such city and county.

If additional territory, which consists wholly of only one incorporated city, city and county or town, or which consists wholly of unincorporated territory, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, then, upon the consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such additional territory is located, and upon the approval of such annexation proposal by a majority of the qualified electors voting thereon in such city and county, and also upon the approval of the proposal hereinafter set forth by a majority of the qualified electors voting thereon in the whole of such territory proposed to be annexed, the indebtedness hereinafter referred to shall be deemed to have been assumed, and at the time stated in such proposal, such additional territory and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

The proposal to be submitted to the territory proposed to be annexed, shall be substantially in the following form and submitted as one indivisible question:

"Shall the territory (herein designate in general terms territory to be annexed) consolidate with the city and county of (herein insert the name of the city and county initiating the annexation proposal) in a consolidated city and county government, said consolidation to take effect (herein insert date when such consolidation shall take effect) and shall the said annexed territory become subject to taxation, as an integral part of the city and county so formed, in accordance with the assessable valuation of property of said territory for the following indebtedness of said city and county of (herein insert name of the city and county) to-wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')."

If additional territory including unincorporated territory and one or more incorporated cities, cities and counties, or towns, or including more than one incorporated city, city and county, or town, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, the consent of each such incorporated city, city and county, or town, shall be obtained by a majority vote of the qualified electors of any such incorporated city, city and county, or town, upon a proposal substantially as follows:

"Shall (herein insert name of the city, city and county, or town, to be included in such annexed territory) be included in a district to be hereafter defined by the city and county of (herein insert the name of the city and county initiating the annexation proposal) which district shall within two years from the date of this election vote upon a proposal submitted as one indivisible question, that such district to be then described and set forth shall consolidate with (herein insert name of the city and county initiating the annexation proposal) in a consolidated city and county government, and that such district become subject to taxation, along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city and county of (herein insert name of the city and county initiating the annexation proposal) to-wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')."

Any and all incorporated cities, cities and counties, or

towns, to which the foregoing proposal shall have been submitted, and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city and county initiating such annexation proposal may desire to have included, the whole shall form an area contiguous to said city and county, shall be created into a district by said city and county, and the proposal substantially in the form above set forth to be used when the territory proposed to be added consists wholly of only one unincorporated city, city and county, or town, or wholly of unincorporated territory, shall, within said two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such territory proposed to be annexed to said city and county is located, and upon the approval of any such annexation proposal by a majority of the qualified electors voting thereon in such city and county proposing such annexation, and also upon the approval of the proposal hereinbefore set forth by a majority of the qualified electors voting thereon in the whole of the district so proposed to be annexed, then, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date stated in such annexation proposal such district and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

Whenever any proposal is submitted to the electors of any county, territory, district, city, city and county, or town, as above provided, there shall be published, for at least five successive publications in a newspaper of general circulation printed and published in any such county, territory, district, city, city and county, or town, the last publication to be not less than twenty days prior to any such election, a particular description of any territory or district to be separated, added, or annexed, together with a particular description of any debts to be assumed, as above referred to, unless such particular description is contained in the said proposal so submitted. In addition to said description, such territory shall also be designated in such notice by some appropriate name or other words of identification, by which such territory may be referred to and indicated upon the ballots to be used at any election at which the question of annexation or consolidation of additional territory is submitted as herein provided. If there be no such newspaper so printed and published in any such county, territory, district, city, city and county, or town, then such publication may be made in any newspaper of general circulation printed and published in the nearest county, city, city and county, or town where there may be such a newspaper so printed and published.

If, by the adoption of any charter, or by annexation, any incorporated municipality becomes a portion of a city and county, its property, debts and liabilities of every description shall be and become the property, debts and liabilities of such city and county.

Every city and county which shall be formed, or the territory of which shall be enlarged as herein provided from territory taken from any county or counties, shall be liable for a just proportion of the debts and liabilities and be entitled to a just proportion of the property and assets of such county or counties, existing at the time such territory is so taken.

The provisions of this constitution applicable to cities, and cities and counties, and also those applicable to counties, so far as not inconsistent or prohibited to cities, or cities and counties, shall be applicable to such consolidated city and county government; and no provision of subdivisions 5 or 6 of this section shall be construed as a restriction upon the plenary authority of any city or city and county having a freeholders' charter, as provided for in this constitution, to determine in said charter any and all matters elsewhere in this constitution authorized and not inconsistent herewith.

The legislature shall provide for the formation of one or more counties from the portion or portions of a county or counties remaining after the formation of or annexation to a consolidated city and county, or for the transfer of such portion or portions of such original county or counties to adjoining counties. But such transfer to an adjoining county shall only be made after approval by a majority vote of the qualified

electors voting thereon in such territory proposed to be so transferred.

The provisions of section two of this article, and also those provisions of section three of this article which refer to the passing of any county line within five miles of the exterior boundary of a city or town in which a county seat of any county proposed to be divided is situated, shall not apply to the formation of, nor to the extension of the territory of such consolidated cities and counties, nor to the formation of new counties, nor to the annexation of existing counties, as herein specified.

Any city and county formed under this section shall have the right, if it so desires, to be designated by the official name of the city initiating the consolidation as it existed immediately prior to its adoption of a charter providing for a consolidated city and county government, except that such city and county shall be known under the style of a city and county.

It shall be competent in any charter framed for a consolidated city and county, or by amendment thereof, to provide for the establishment of a borough system of government for the whole or any part of the territory of said city and county, by which one or more districts may be created therein, which districts shall be known as boroughs and which shall exercise such municipal powers as may be granted thereto by such charter, and for the organization, regulation, government and jurisdiction of such boroughs.

No property in any territory hereafter consolidated with or annexed to any city or city and county shall be taxed for the payment of any indebtedness of such city or city and county outstanding at the date of such consolidation or annexation and for the payment of which the property in such territory was not, prior to such consolidation or annexation, subject to such taxation, unless there shall have been submitted to the qualified electors of such territory the proposition regarding the assumption of indebtedness as hereinbefore set forth and the same shall have been approved by a majority of such electors voting thereon.

7. In all cases of annexation of unincorporated territory to an incorporated city, or the consolidation of two or more unincorporated cities, assumption of existing bonded indebtedness by such unincorporated territory or by either of the cities so consolidating may be made by a majority vote of the qualified electors voting thereon in the territory or city which shall assume an existing bonded indebtedness. This provision shall apply whether annexation or consolidation is effected under this section or any other section of this constitution, and the provisions of section eighteen of this article shall not be a prohibition thereof.

The legislature shall enact such general laws as may be necessary to carry out the provisions of this section and such general or special laws as may be necessary to carry out the provisions of subdivisions 5 and 6 of this section, including any such general or special act as may be necessary to permit a consolidated city and county to submit a new charter to take effect at the time that any consolidation, by reason of annexation to such consolidated city and county, takes effect, and also, any such general law or special act as may be necessary to provide for any period after such consolidation, by reason of such annexation, takes effect, and prior to the adoption and approval of any such new charter.

Section 83, article XI, proposed to be amended, now reads as follows:

EXISTING LAW.

Section 83. It shall be competent, in all charters framed under the authority given by section eight of article eleven of this constitution, to provide, in addition to those provisions allowable by this constitution and by the laws of the state, as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and re-

moval, and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which, and the terms for which the members of the boards of police commissioners shall be elected or appointed, and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

4. For the manner in which and the times at which any municipal election shall be held and the result thereof determined; for the manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the constitution, regulation, compensation and government of such boards, and of their clerks and attaches; and for all expenses incident to the holding of any election.

Where a city and county government has been merged and consolidated into one municipal government, it shall also be competent, in any charter framed under said section eight of said article eleven, or by amendment thereto, to provide for the manner in which, the times at which and the terms for which the several county and municipal officers and employees whose compensation is paid by such city and county, excepting judges of the superior court, shall be elected or appointed, and for their recall and removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. All provisions of any charter of any such consolidated city and county heretofore adopted, and amendments thereto, which are in accordance herewith, are hereby confirmed and declared valid.

ARGUMENT IN FAVOR OF CITY AND COUNTY CONSOLIDATION.

The city attorneys of Oakland, Los Angeles and San Francisco, upon the request of Los Angeles, met some months ago and in conjunction worked upon the form of an amendment to the state constitution which would facilitate the establishment and extension of consolidated city and county governments.

Two points arose upon which all three attorneys, acting upon advice of their respective cities, were unable to agree, with the result that there now appear on the ballot two proposed amendments treating of this subject. One was placed there by San Francisco and Los Angeles, the other by Oakland. The two are exactly the same except in two instances. Now, instead of co-operation and agreement between these three cities, which it was the original intention and desire to secure, and which in this time of the Panama-Pacific International Exposition is most necessary and desirable, the division on the advocacy of these two so nearly alike amendments appears to be stirring up internal strife and prejudice.

In order that this may be effectually and certainly avoided, San Francisco, through its board of directors and chamber of commerce, and Los Angeles, through its city council and chamber of commerce, have withdrawn their support from the amendment proposed by San Francisco and Los Angeles and give support, instead, to the amendment proposed by Oakland.

As above indicated a comparison of the two will show but two differences: which two relate to territorial limits of consolidated cities and counties and to the required population for a city and county consolidation.

The following analysis will be helpful to an understanding of the proposed amendments, and we desire the reader to note the distinct advantages therein provided for all charter cities in the state, and not alone to consolidated cities and counties.

Subdivision 1 of this section of the present constitution remains unchanged. There is added a provision for municipal courts. This is a benefit

running to all charter cities in the state. This provision enables these cities to form municipal courts to take the place of the present justice, police and all other inferior courts. Municipal courts have proven very successful in eastern cities, and our California cities should have the power to establish them, provided the electors so desire.

Subdivisions 2 and 3 of the present section remain unchanged.

Subdivision 4 is identical with the present subdivision, except that it is worded to make it certain that all cities as well as consolidated cities and counties shall have the right to provide in their charters for the election, terms of office, compensation and removal of their officials and employees.

Subdivisions 5, 6, and 7 are new, and provide a method for the creation of consolidated city and county governments, and adding or annexing territory to cities or cities and counties.

The amendment was most carefully drawn on this point so as to be absolutely fair in its terms. Every precaution was taken to make any injustice impossible. That this purpose was attained is seen from the following:

1. No incorporated city can be included in or annexed to any consolidated city and county *except by consent of a majority vote in such incorporated city, voting as a separate city.*

2. No unincorporated territory can be included in or annexed to any consolidated city and county *except by consent of a majority of the electors of the entire outside district voting as a separate district.*

3. No city or unincorporated territory can form itself into a consolidated city and county without the consent of a majority of the electors of the entire county. Thus, the counties as well as the municipalities of the state are safeguarded.

4. No property in any such city to be so consolidated or annexed can be subject to any taxation for an existing indebtedness of any city so proposing consolidation or annexation, unless a majority of the electors in the city so consolidated or annexed give their consent. Nor can any unincorporated territory be so taxed, unless like consent is obtained from a majority of the electors of the entire outside district.

5. A majority vote is substituted instead of the present two-thirds vote requirement, as to the assumption of indebtedness at the time of annexing territory to a city. If a majority of the electors of any territory desire to annex their territory to an adjacent city and have the territory assume its just share of the city's indebtedness, they certainly should have the right to do so.

6. On any change in county lines it is provided that there must be a just and fair arrangement between any counties affected, with reference to the assets and liabilities of such counties.

7. Only contiguous territory can be added.

8. If any incorporated city becomes a portion of a city and county, the city and county assumes all the indebtedness of such incorporated city, and acquires the assets of said city.

9. Since the situation may be very different in different parts of the state, requiring, for instance, one plan in Oakland, another in San Francisco, and still another in Los Angeles, it is provided that the legislature may pass special acts to meet the peculiar conditions in each instance.

10. The legislature is authorized to provide for the formation of one or more counties from any portion of a county remaining after such consolidation, or for the transfer of such portions to adjoining counties. But no territory can be so transferred to adjoining counties without the consent of its electors.

11. Any outlying district with a fixed identity upon joining in a consolidated city and county government may retain its name, identity and local regulation under the borough system.

12. When a city reaches a point in population which gives rise to complicated questions of government, among them being water supply, sanitary regulation, harbor and rail terminal problems, and others of commercial nature need of a local government especially form, with these difficulties in mind is presented.

J. S. CONWELL.

President Efficiency Commission of Los Angeles

ARGUMENT AGAINST SAN FRANCISCO-LOS ANGELES AMENDMENT.

The so-called San Francisco amendment to section 8½ of article XI of the Constitution of the State of California should be defeated, because—

Since filing the initiative petition with the secretary of state, the supervisors of the city and county of San Francisco have passed resolutions rejecting or abandoning their amendment and supporting what is now known as the "Oakland amendment," practically as originally proposed by the representatives of Los Angeles. The city of Los Angeles, through its city council and commercial organizations, has also concurred in the Oakland amendment as a substitute, which is submitted to the voters of the state for their approval.

Both San Francisco and Los Angeles have joined in support of the Oakland amendment because it is fair and just to all sections of the state, as it permits Los Angeles to form a consolidated city and county government, and enables San Francisco to expand down the peninsula, which is manifestly just and logical. It also permits other cities having a population of 50,000 or more to form consolidated city and county governments.

The fact that San Francisco has abandoned the amendment proposed jointly by that city and Los Angeles, and has agreed to support the Oakland substitute, leaves little to be said in argument against the original amendment. The Oakland substitute amendment was shaped to meet the conditions applicable to all three of the cities and at the same time to allow San Francisco all that it claimed to want—the right to extend

down the peninsula by taking in territory that was originally a part of the county of San Francisco at the time the city and county was organized, which territory, with portions from Santa Cruz county, became a part of the county of San Mateo. The city of Oakland at no time had the disposition to hamper San Francisco's natural expansion by land. Oakland's opposition was to annexation across the bay of territory that had separate interests and desired to retain its individual initiative in municipal matters. Furthermore, Oakland and the east bay cities objected to being subjected to the taxing powers of the city of San Francisco or to be made participants in carrying its burden of bonded indebtedness. It was for this reason that Oakland declined to co-operate with San Francisco and Los Angeles on an amendment permitting annexation in any direction across county lines.

But assuming that the San Francisco plan of annexing territory should prevail, its most dangerous feature lies in the fact that it is designed in the interest of that city alone and is therefore "special legislation." San Francisco being the only city in the state that desires unlimited permission to annex territory across the county lines of at least four counties. This we believe is unreasonable and against the best interests of the state.

Oakland wants to be left alone to develop her own great resources in her own way. She has a great harbor to develop and she does not wish to lose control of it or to become a minority stockholder in a greater political corporation. She wishes to retain both her individuality and her independence, and she does not feel warranted in turning over to San Francisco those civic questions which concern her future development and prosperity.

W. E. Gibson.

CONSOLIDATION OF CITY AND COUNTY, AND LIMITED ANNEXATION OF CONTIGUOUS TERRITORY.

(Proposed by city of Oakland.)

Initiative amendment to section 8½ of article XI of constitution. Present section unchanged except to authorize chartered cities to establish municipal courts, and control appointments, qualifications and tenure of municipal officers and employees; authorizes cities exceeding 50,000 population to consolidate and annex only contiguous territory included within county from which annexing territory was formed on consolidation, or concurrently or subsequently added to territory excluded from original consolidated territory; requires consent of annexed territory and of county from which taken; prescribes procedure for consolidation and annexation.

The electors of the State of California present to the secretary of state this initiative petition asking that the Constitution of the State of California be amended as hereinafter set forth, and the following amendment to said constitution be submitted to the electors of the State of California for their approval or rejection, at the general election to be held in the month of November, 1914.

That section eight and one half of article eleven of the Constitution of the State of California, relating to the powers conferred on cities, and cities and counties, by the adoption of charters, or amendments thereof, be amended so as to provide for the extension of such powers, the consolidation of city and county governments, the annexation of territory thereto, and the assumption of bonded indebtedness by territory annexed to or consolidated with an incorporated city or city and county, and to read as follows:

PROPOSED LAW.

Section 8½. It shall be competent, in all charters framed under the authority given by section eight of this article to provide, in addition to those provisions allowable by this constitution and by the laws of the state as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall

be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts, with such civil and criminal jurisdiction as by law may be conferred upon inferior courts; and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; provided such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law.

In any city or any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and all records of such inferior courts shall thereupon be and become the records of such municipal court.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which, and the terms for which the members of the